

U.S. Department of Justice



United States Attorney
Southern District of New York

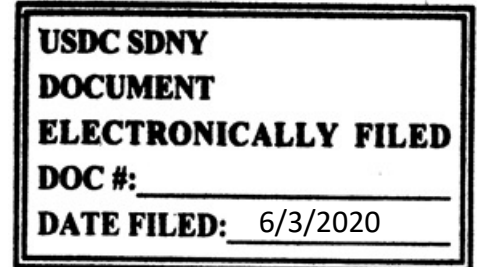
86 Chambers Street
New York, New York 10007

June 2, 2020

VIA ECF

Hon. Stewart D. Aaron
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Alshami v. Pompeo*, 19 Civ. 8452 (SDA)



Dear Judge Aaron:

This Office represents defendant Secretary of State Michael Pompeo in his official capacity in the above-referenced case. On behalf of the parties and in accordance with the proposed stipulation and order of settlement and dismissal filed today (ECF No. 26) (the “Settlement Agreement”), we write respectfully to request a stay of all court deadlines.

In this case, plaintiff seeks an order requiring the issuance of a renewal of plaintiff’s United States passport and/or declaratory relief that plaintiff is a United States citizen. *See* ECF Nos. 1, 13. Based on the evidence, the Department of State (“DOS” or “the Department”) acknowledges that plaintiff is now able to meet her burden of establishing by the preponderance of the evidence that she is the biological daughter of Mohamed Hamood Shami and that she is a United States citizen. Settlement Agreement ¶ 2. Therefore, within 60 days of the date of execution of the Settlement Agreement, plaintiff will submit to DOS a new passport application (Form DS-11) that is unexecuted, but signed by plaintiff; a new passport photo of plaintiff; and a copy of the front and back of a valid government identification card. *Id.* ¶ 2.a. If plaintiff meets all requirements for passport eligibility, DOS will issue plaintiff a U.S. passport book within a reasonable time after the Department resumes normal domestic passport issuance operations.¹ *See id.* ¶ 2.b. Within seven days of receipt of the passport book, plaintiff will dismiss this case in its entirety with prejudice. *Id.* ¶ 5. Meanwhile, in the event that plaintiff is ineligible to receive a United States passport, within seven days of being informed of her ineligibility in writing, plaintiff agrees to dismiss her 8 U.S.C. § 1503 claim against the Department. *Id.* ¶ 2.b.

Thus, the parties respectfully request that the Court stay all court deadlines.

We thank the Court for consideration of this request.

¹ Because of public health measures to prevent the spread of COVID-19, effective March 20, 2020, the Department has limited U.S. passport issuance operations. Settlement Agreement ¶ 2.b.

Respectfully,

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cc: Thomas H. Nooter, Esq. (via ECF)

The Parties' request for a stay is GRANTED. The parties shall file a joint status letter as to the status of this matter no later than September 3, 2020. SO ORDERED.

Dated: June 3, 2020

A handwritten signature in blue ink, appearing to read "Stuart J. Auer".